

**( See [Fed. R. Civ. P. 54](#) )**

**LR 54-1 Costs - Other than Attorney Fees ( See [Fed. R. Civ. P. 54\(d\)\(1\)](#) )**

**(a) Filing Requirements ( See 28 U.S.C. §§ 1920-24)**

**(1) Bill of Costs:** Not later than fourteen (14) days after entry of judgment or receipt and docketing of the appellate court's mandate, the prevailing party may file and serve on all parties a Bill of Costs that provides detailed itemization of all claimed costs. The prevailing party must file an affidavit and appropriate documentation.

**(2) Verification:** The Bill of Costs must be verified as required by 28 U.S.C. § 1924.

**(b) Objections**

Not later than fourteen (14) days after service of the Bill of Costs, a party objecting to any item of cost must file and serve objections. Objections should be accompanied by an affidavit and supporting legal memorandum in support of the party's position. A response, if any, must be filed not later than fourteen (14) days after service of the objections.

**(c) Legal Memoranda and Page Limitations**

Except as authorized in advance by the Court, all legal memoranda in support of, or in opposition to, the Bill of Costs are limited to ten (10) pages.

**LR 54-2 Order Taxing Costs**

**(a) Authority to Tax Costs**

Unless otherwise directed by the Court, the Clerk may tax costs provided in [Fed. R. Civ. P. 54\(d\)\(1\)](#) ).

**(b) Objections to the Clerk's Order Taxing Costs**

Notwithstanding [Fed. R. Civ. P. 54\(d\)\(1\)](#) , not later than fourteen (14) days after filing of the

Clerk's order taxing costs, any party may file and serve written objections to the Clerk's order. Unless requested by the Court, there will be no further submissions, and review by the Court will be determined on the same papers and evidence submitted to the Clerk.

### **(c) No Oral Argument**

Unless requested by the Court, costs will be taxed on the written submissions of the parties and without oral argument.

## **LR 54-3 Motion for Award of Attorney Fees (See [Fed. R. Civ. P. 54\(d\)\(2\)](#))**

### **(a) Motion Requirements**

In addition to the requirements of [Fed. R. Civ. P. 54\(d\)\(2\)\(B\)](#) , any motion for attorney fees must set forth the relevant facts and arguments of the moving party, along with all supporting authorities and affidavits.

#### **Practice Tip to LR 54-3 Reasonable Hourly Rate**

As for the reasonable hourly rate, the Court uses the most recent [Oregon State Bar Court Official Court Report](#) as authority. [Regarding Attorney Fee Petitions](#) "four

### **(b) Objections or Other Responses**

Objections and responsive materials are due not later than fourteen (14) days after service of the motion. Replies, if any, must be filed not later than fourteen (14) days after service of the objection.

### **(c) Hearing**

Unless otherwise directed by the Court, any hearing on the motion for attorneys' fees will be heard by the Court without:

(1) Segregating the issue of liability for attorneys' fees from the issue of the amount of fees;

(2) Live testimony and/or cross-examination of witnesses;

(3) Extending the time for appeal of the underlying judgment under [Fed. R. Civ. P. 58](#) ; or

(4) The parties submitting proposed findings and conclusions, and/or the parties objecting to proposed findings and conclusions issued by the Court.

**(d) Other Options (See [Fed. R. Civ. P. 54\(d\)](#) )**

The Court may issue other appropriate orders relating to the motion for attorneys' fees ,including a decision to refer the motion and objections to mediation or other dispute resolution process.

**(e) Legal Memoranda and Page Limitations**

Except as authorized in advance by the Court, all legal memoranda in support of, or in opposition to, motions for attorney fees are limited to ten (10) pages.

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**Amendment History to LR 54**

June 1, 2000

LR 54.1(a)(1)(A)

The phrase "or receipt and docketing of the appellate Court's mandate," has

June 1, 2002

LR 54.4(b)

The sentence beginning "Unless otherwise directed . . . ." was added.

June 1, 2006

Generally

"Cost Bills" changed to "Bill of Costs" throughout.

Numeric format modified.

"ten (10)".

LR 54.1(a)(1) Subsection (B) deleted and merged into LR 54.1(a)(1).

"The prevailing party . . ." sentence moved from (B) to LR 54.1(a)(1).

LR 54.1(b) The word "supporting" added in second sentence. Permission to file a response

LR 54.2 Text of LR 54.3 moved to new (b) and subsequent sections re-lettered

Subsection (c) "Order Taxing Costs" deleted.

LR 54.3 Text moved to LR 54.2(b) with subsequent sections re-numbered

Practice tip added to LR 54.3(a)

Subsection (b) text modified to permit a reply to the objection.

December 1, 2009

LR 54-2(a) Deleted phrase "one day after the time limits in LR 54-1 have expired."

LR 54-3 Citation to Oregon State Bar website added to practice tip.

Generally Deadlines changed from "eleven (11)" days to "fourteen (14)" days.

Updated cross-references.